

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DOUGLAS K. KARPf

v.

MASSACHUSETTS MUTUAL LIFE  
INSURANCE COMPANY, ET AL.

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CIVIL ACTION

NO. 10-1401

**ORDER**

AND NOW, this 7<sup>th</sup> day of February, 2019, upon consideration of Plaintiff's Motions in Limine and For Discovery (ECF No. 97), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that the Motions are **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion in Limine is **DENIED** as to Exhibits P-89 and P-310, which will not be admitted absent further offer of proof by Plaintiff at trial to establish their relevance and admissibility.

2. The Motion in Limine is **GRANTED IN PART** as to evidence of Plaintiff's disability benefits, which will not be admitted for the purpose of offset or deduction from any award for emotional distress damages found to have resulted from Defendants' alleged tortious conduct. If Defendants seek to use such evidence for another purpose at trial, they must make an offer of proof as to the propriety of such purpose under applicable authority.

3. The Motion in Limine is **GRANTED IN PART** as to the documents attached as Exhibits C, D, and E to Plaintiff's Motion, which will not be admitted for the purpose prohibited by Federal Rule of Evidence 404(b)(1). If Defendants seek to use those documents for another purpose at trial, they must make an offer of proof as to their admissibility under applicable

authority.

4. Plaintiff's Motion for Discovery of Defendants' financial information is  
**DENIED.**

**IT IS SO ORDERED.**

**BY THE COURT:**



**R. BARCLAY SURRICK, J.**